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A/H: Deborah Dotson  
TC 1600

PTO-2053-B (Rev. 10/03)

Approved for use through 07/31/2006. OMB 0651-0031  
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In re Application of: \_\_\_\_\_

Application No.: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Title: \_\_\_\_\_

Direct to: Mail Stop RECONSTRUCTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

### **NOTICE UNDER 37 CFR 1.251 - Pending Application**

**Statement (check the appropriate box):**

- The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.
- The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).
- The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.
- Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

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Date

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Signature

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Typed or printed name

**A copy of this notice should be returned with the reply.**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

PATENT  
Customer No. 22,852  
Attorney Docket No. 3804.1596-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Manfred BOHN et al. ) Group Art Unit: 1639  
Application No.: 09/077,194 ) Examiner: J. Epperson  
Filed: May 26, 1998 )  
For: USE OF 1-HYDROXY-2- ) Confirmation No. 5713  
PYRIDONES FOR THE )  
TREATMENT OF )  
SEBORRHEIC DERMATITIS )

**Mail Stop RECONSTRUCTION**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**STATEMENT OF COMPLETE RECORD UNDER 37 C.F.R. § 1.251(a)**

The undersigned received a Notice Under 37 C.F.R. 1.251 by facsimile on June 2, 2005. The Notice, dated May 20, 2005, requests a complete copy of Applicants' record of this application. The undersigned affirms that the attached documents are a complete and accurate record of all of the correspondence between the United States Patent and Trademark Office and Applicants for the above-identified application (except for U.S. patent documents), to the best of the knowledge of the undersigned, with one exception. The attached copy does not contain an English translation of European Patent EP 0 771 187, which Applicants submitted in a Supplemental Information Disclosure Statement on September 18, 2001. Applicants note that the EP '187 patent was published earlier as WO 96/02226, which was cited by the Examiner in the Office Action dated March 2, 2005. The Examiner indicated that the Office will provide an English translation of the WO '226 publication. See Office Action dated March 2, 2005,

at 3. Applicants also note that the EP '187 patent contains an English-language abstract and claims.

Applicants also attach a list of the contents of the representative's application file.

The attached list differs from the list accompanying the Notice dated May 20, 2005, as follows:

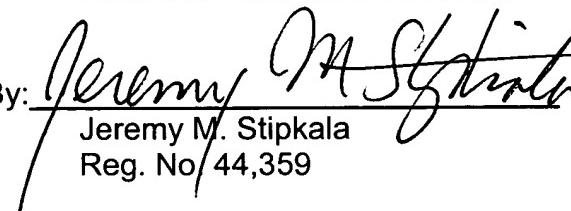
- Internal PTO docketing that does not reflect a mailed document does not appear on Applicants' attached list;
- Applicants have no copies of papers regarding abandonment related to the filing of CPAs and RCEs. Those documents appear on the Notice's list having dates 02/09/2000 and 07/23/2001;
- Assignment recordations appear on Applicants' attached list and in the attached copy;
- A few documents, such as the Interview Summary dated October 1, 2003, do not appear on the Notice's list, but do appear on Applicants' attached list and in the attached copy.

Applicants are not aware of any correspondence between the Office and the Applicants for the above-identified application, except for the translation of EP '187, that is not among the Applicants' records.

If there is any extension of time needed or fee due in connection with the filing of this Statement, please grant such extension of time and charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 24, 2005

By:   
Jeremy M. Stipkala  
Reg. No. 44,359

Enclosures:

09/077,194 Content List;

Copy of Applicants' Representative's Appln. No. 09/077,194 prosecution file;

Copy of Notice Under 1.251.